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7 Las Vegas, NV 89148
8 (949) 477-5050; Fax: (702) 946-1345
9 dosborn@wrightlegal.net
10 *Attorneys for Defendants,*
11 *Seterus, Inc. fka IBM Lender Business Process Services, Inc. and*
12 *Mortgage Electronic Registration Systems, Inc.*

9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

12 JASON AND KRISTY ORTON,
13
14 Plaintiffs,

15 vs.

16 FIRST HORIZON NATIONAL
17 CORPORATION; FIRST TENNESSEE
18 BANK; FIRST HORIZON HOME LOANS;
19 METLIFE BANK, N.A.; METLIFE HOME
20 LOANS; MORTGAGE ELECTRONIC
21 REGISTRATION SYSTEMS, INC.; THE
22 MORTGAGE LAW FIRM, PLC; IBM
23 LENDER BUSINESS PROCESS SERVICES,
INC. (LBPS); and DOES 1-25
CORPORATIONS; DOES and ROES 1-25,
Individuals or Partnerships.
Defendants.

Case No.: 3:11-cv-00630-LRH-VPC

**ORDER CANCELLING AND
EXPUNGING LIS PENDENS**

24 In accordance with the Order entered on June 4, 2012 dismissing the Complaint [(Doc.
25 32) , Defendants Seterus, Inc. fka IBM Lender Business Process Services, Inc. and Mortgage
26 Electronic Registration Systems, Inc. are entitled to an Order from the Court expunging the lis
27 pendens filed against the property which is the subject of this action.
28

1 The Court finds that Plaintiff recorded the Notice of Lis Pendens Affecting Real Property
2 ("Lis Pendens") on or about July 22, 2011, as Instrument Number 4024586 in real property
3 located at 2225 Evergreen Park Dr., Reno, Nevada 89521, APN 140-256-05; more particularly
4 described as follows:

5 LOT 67 IN BLOCK F AS SHOWN AND DELINEATED ON THE MAP OF
6 VILLAGES AT DAMONTE RANCH-UNIT 13A, ACCORDING TO THE MAP
7 THEREOF, FILED IN THE OFFICE OF THE COUNTY RECORDER OF WHASOE
8 COUNTY, STATE OF NEVADA, ON NOVEMBER 15, 2002 AS FILE NO. 2763668,
TRACT MAP NO. 4141.

9 Upon consideration of Defendant's Motion to Expunge the Lis Pendens attached hereto
10 as **Exhibit 1** and referenced above, and good cause appearing therefore, the Court hereby grants
11 Defendant its requested relief and rules as follows:

12 **IT IS ORDERED, ADJUDGED AND DECREED** that the Lis Pendens attached hereto
13 as **Exhibit 1**, and referenced above, is hereby expunged and shall hereafter have no further force
14 or effect.

15 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that this Order
16 canceling the above referenced Lis Pendens has the same effect as an expungement of the
17 original Lis Pendens.

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1 **IS FURTHER ORDERED, ADJUDGED AND DECREED** that pursuant to NRS
2 14.015(5), Plaintiff shall record a copy of this Order or other appropriate notice) cancelling the
3 Notices of Pendency of Action or Lis Pendens, with the Washoe County Recorder's Office
4 within five business days of its entry, and if there is a failure to do so, any party may record a
5 copy of this Order.

6 IT IS SO ORDERED.

7
8 DATED this 11th day of June 2012.

9
10 
11 _____
12 UNITED STATES DISTRICT JUDGE

13 Respectfully Submitted By:

14 WRIGHT, FINLAY & ZAK, LLP

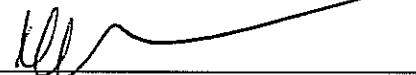
15 
16 _____
17 Donna M. Osborn, Esq.
18 Nevada Bar No. 006527
19 5532 South Fort Apache Road, Suite 110
20 Las Vegas, NV 89148
21 Attorneys for Defendants,
22 Seterus, Inc. fka IBM Lender Business Process Services, Inc. and
23 Mortgage Electronic Registration Systems, Inc.
24
25
26
27
28

Exhibit 1

Exhibit 1

Exhibit 1

DOC # 4024586

07/22/2011 12:54:27 PM

Requested By

KARLOS KIDDER

Washoe County Recorder

Kathryn L. Burke - Recorder

Fee: \$17.00 RPTT: \$0.00

Page 1 of 4

APN: 140-256-05

RECORDING REQUESTED BY:

Name: Karlon J. Kidder, Esq.

Address: 885 Tyler Way

City/State/Zip: Sparks, NV 89431

WHEN RECORDED MAIL TO:

Name: Karlon J. Kidder, Esq.

Address: 885 Tyler Way

City/State/Zip: Sparks, NV 89431

MAIL TAX STATEMENT TO:

Name: JASON ORTON AND KRISTY ORTON

Address: 2225 Evergreen Park Drive

City/State/Zip: Reno, NV 89521

NOTICE OF PENDANCY OF ACTION

Please complete Affirmation Statement below:

X I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does not contain the personal information of any person or persons. (Per NRS 239B.030)

-OR-

 I the undersigned hereby affirm that the attached document, including any exhibits, hereby submitted for recording does contain the personal information of a person or persons as required by law:

(State specific law)

Signature

KARLON KIDDER

Print Name

Attorney

Title

FILED

2011 JUL 22 AM 11:26

HOWARD W. CONYERS

BY T. White
DEPUTY

1935

Karlon J. Kidder, Esq.

State Bar #11622

The Law Offices of Paul Freitag

885 Tyler Way

Sparks, Nevada 89431

(775) 359-1936

(775) 359-1992

freitaglaw@yahoo.com

Attorney for Plaintiff

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

JASON AND KRISTY ORTON

Plaintiffs,

vs.

FIRST HORIZON NATIONAL CORPORATION,
FIRST TENNESSEE BANK, FIRST HORIZON
HOME LOANS, METLIFE BANK, N.A., METLIFE
HOME LOANS, MORTGAGE ELECTRONIC
REGISTRATION SERVICES, INC., THE
MORTGAGE LAW FIRM, PLC, IBM LENDER
BUSINESS PROCESS SERVICES, INC.(LBPS),
DOES 1-25 CORPORATIONS, DOES and ROES 1-25,
Individuals or Partnerships.

Defendants.

Case No.: **CV11 02163**
Dept No. **3**

NOTICE OF PENDANCY OF THE ACTION

NOTICE IS HEREBY GIVEN, pursuant to NRS 14.010, that a Complaint has been
filed in the above referenced Court affecting the title to the real property subject to this action,
property defined as follows:

Legal Description:

Lot 67 in Block F as shown and delineated on the map of VILLAGES AT DAMONTE
RANCH-UNIT 13A, according to the map thereof, filed in the office of the County
recorder of Washoe County, State of Nevada, on November 15, 2002 as File No.
2763668, Tract Map No. 4141

A.P.N. #:

140-256-05

1 **Street Address:**

2 2225 Evergreen Park Drive, Reno, Nevada 89521.


3
4 **AND NOTICE IS HEREBY GIVEN**, that the premises described above is subject to
5 litigation in this action, and at the time of filing of this Notice, is situated in the County of
6 Washoe, State of Nevada.

7 Persons interested in said action with regards to further information, are instructed to
8 refer to the Complaint on file in the Second Judicial District Court Clerk's Office as Case
9 Number CV11-02163, Dept. 3

10
11 **AFFIRMATION: Pursuant to NRS 239B.030**

12 The undersigned does hereby affirm that the preceding document does not contain the social
13 security number of any person.

14
15 DATED this 22nd day of July, 2011.

16
17
18 
19 Karlon J. Kidder, Esq.
20 Attorney for Plaintiff
21 State Bar # 11622

22
23
24 **CERTIFIED COPY**

25 The document to which this certificate is
26 attached is a full, true and correct copy of
27 the original on file and of record in my office.

28 DATE: Jul 21 2011
HOWARD W. CONNERS, Clerk of the Second
Judicial District Court, in and for the County
of Washoe, State of Nevada

By  Deputy



WASHOE COUNTY RECORDER

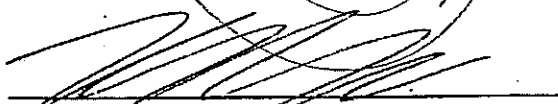
OFFICE OF THE RECORDER
KATHRYN L. BURKE, RECORDER

1001 E. NINTH STREET
POST OFFICE BOX 11130
RENO, NEVADA 89520-0027
PHONE (775) 328-3661
FAX (775) 325-8010

LEGIBILITY NOTICE

The Washoe County Recorder's Office has determined that the attached document may not be suitable for recording by the method used by the Recorder to preserve the Recorder's records. The customer was advised that copies reproduced from the recorded document would not be legible. However, the customer demanded that the document be recorded without delay as the parties rights may be adversely affected because of a delay in recording. Therefore, pursuant to NRS 247.120 (3), the County Recorder accepted the document conditionally, based on the undersigned's representation (1) that a suitable copy will be submitted at a later date (2) it is impossible or impracticable to submit a more suitable copy.

By my signing below, I acknowledge that I have been advised that once the document has been microfilmed it may not reproduce a legible copy.


Signature

7/22/2011
Date

Karlton L. J. J. J.
Printed Name